

COMSCINST <b>4610.4D</b>	COG CODE <b>PM5</b>	DATE <b>24 JAN 1978</b>
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**DEPARTMENT OF THE NAVY**  
 COMMANDER MILITARY SEALIFT COMMAND  
 WASHINGTON NAVY YARD BLDG 210  
 901 M STREET SE  
 WASHINGTON DC 20398-5540

COMSCINST 4610.4D  
 M-32  
 24 January 1978

## COMSC INSTRUCTION 4610.4D

Subj: MSC policy governing the acquisition and utilization of shipping for carriage of cargo except bulk POL

1. Purpose. To prescribe the order of precedence for this acquisition of shipping required to supplement capability of the MSC nucleus fleet, and the utilization of several categories of shipping capability available to MSC for the carriage of cargo (except bulk POL) sponsored by the Department of Defense.

2. Cancellation. COMSC Instruction 4610.4C.

3. Policy

a. Acquisition of Shipping. In conformity with the memorandum of agreement between the Secretary of Defense and the Secretary of Commerce executed in August 1954, it is the policy of the Commander, Military Sealift Command to utilize the services of privately owned and operated American flag shipping to the maximum extent practicable. Accordingly, during normal peacetime operations, merchant shipping capability required by MSC in addition to that provided by its nucleus fleet shall be obtained, consistent with military requirements and prudent management, in the following order of priority:

(1) Maximum utilization of U.S. flag berth space;

(2) time or voyage charter of suitable privately owned U.S. flag merchant ships to the extent these are voluntarily made available by the maritime industry. Such time or voyage charters will be kept to the minimum necessary to meet requirements which foresight indicates cannot be met by U.S. flag berth operators;

(3) shipping provided by National Shipping Authority under General Agency Agreement or other arrangements, or

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(4) in the event suitable U.S. flag shipping is not available under the conditions stated above, the Military Sealift Command will employ foreign flag shipping only to the extent necessary to meet military requirements in accordance with COMSC Instruction 4622.9J.

b. Utilization of Shipping

(1) Maximum utilization of MSC nucleus fleet ships will be made at all times to the extent compatible with priorities and delivery requirements of the cargo.

(2) When conditions have necessitated the acquisition of shipping in priorities (2), (3) and (4) above, the employment of such shipping will be terminated at the earliest practicable date. In the interest of economy, however, the capability of such shipping will be utilized to the maximum during the committed term of employment by MSC to the extent compatible with priorities and delivery requirements of the cargo.

(3) The minimum number of MSC nucleus fleet ships and time-chartered ships, which make up the MSC controlled dry cargo fleet, will reflect sealift contingency requirements as determined by COMSC and approved by CNO.

4. Booking of Cargo

a. COMSC must be kept informed of cargo assignment through the medium of applicable reporting procedures.

b. When no controlled shipping capability is available to meet delivery requirements of cargo offered for ocean booking, such requirements may be met through the use of shipping contracts, shipping/container agreements, or Government Bills of Lading to the extent of the booking authority granted MSC area and subarea commands by COMSC.

5. Military of Civilian Aid Cargo. Military and civilian aid cargoes will be shipped only in privately owned U.S. flag commercial shipping whenever that type of shipping is requested by the sponsoring shipper service for compliance with the 1954 Cargo Preference Act (section 901 (b) of the Merchant Marine Act 1936, as amended).

6. Foreign Flag Ships

a. Cargo moving under the cognizance of MSC shall be carried in ships of foreign registry only when military requirements cannot be met with American flag shipping.

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b. When necessary to meet delivery requirements of the cargo, COMSC has granted MSC area and subarea commands specific authority to sue foreign flag shipping without prior approval of each individual movement. Except when such general authorization has been granted, COMSC approval of every other foreign flag shipment will be obtained prior to booking in accordance with COMSC Instruction 4622.9J.

7. Authority. The provisions of this instruction are in accordance with the implementation of existing departmental regulations and applicable public laws.

/S/

J. D. JOHNSON

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